

City Council Introduction: **Monday**, November 13, 2000
Public Hearing: **Monday**, November 20, 2000, at **1:30 p.m.**

Bill No. 00-206

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 3287**, from R-3 Residential to R-1 Residential, requested by Design Associates on behalf of Lincoln Land and Mortgage Company, on property generally located at South 73rd Street and Thomasbrook Lane.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 11/01/00
Administrative Action: 11/01/00

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (7-0: Bayer, Carlson, Krieser, Newman, Taylor, Schwinn and Taylor voting 'yes'; Duvall and Hunter absent).

FINDINGS OF FACT:

1. The Planning staff recommendation to approve this change of zone request is based upon the following "Analysis":
 - A. This change of zone request is to bring the zoning district boundaries into alignment with proposed platting of the abutting lots.
 - B. **Section 27.05.030(b) - Rules Where Uncertainty as to Boundaries Arises** of *The Zoning Ordinance* states:

"Where the property has been or may hereafter be divided into blocks and platted lots, the district boundaries shall be construed to coincide with the nearest platted lot lines; and where the district designated in the district map made a part of this title by reference are bounded approximately by platted lot lines, the platted lot line shall be construed to be the boundary of the district."
 - C. This change will allow the subdivision of the two lots on either side of the proposed change through the administrative final plat of Edenton North 8th Addition and will align the district boundaries with the proposed lot lines.
2. This item was placed on the Consent Agenda of the Planning Commission on November 1, 2000, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 6, 2000

REVIEWED BY: _____

DATE: November 6, 2000

REFERENCE NUMBER: FS\CC\FSCZ3287

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: CHANGE OF ZONE NO. 3287

DATE: OCTOBER 10, 2000

PROPOSAL: J. D. Burt of Design Associates of Lincoln, Inc., on behalf of Lincoln Land and Mortgage Company, has requested a change of zone from R-3 Residential District to R-1 Residential District on property generally located at South 73rd Street and Thomasbrook Lane

GENERAL INFORMATION:

APPLICANT: J. D. Burt
c/o Design Associates of Lincoln, Inc.
1609 'N' Street
Lincoln, NE 68508
402-474-3000

OWNER: Lincoln Land and Mortgage Company
1101 'N' Street
Lincoln, NE 68508

LOCATION: Generally, near the southeast corner of South 73rd Street and Thomasbrook Lane.

REQUESTED ACTION: Change of Zone from R-3 Residential to R-1 Residential.

PURPOSE: To adjust the zone line to fall on the lot line associated with a proposed administrative final plat.

LEGAL DESCRIPTION: The west 10.09 feet of Lot 17, Block 2, Edenton North 5th Addition located in the NW¼ of Section 10, Township 9 North, Range 7 East, Lincoln, Lancaster County, Nebraska.

SIZE: From R-3 to R-1 - 1,209.9 square feet more or less.

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: A single family dwelling on the lot to the west. The lot to the east is vacant.

SURROUNDING LAND USE AND ZONING: Residential uses to the north, south and west, vacant and under construction to the east. Generally, R-1 to the south and west and R-3 to the north and east.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan of the *Comprehensive Plan* indicates this area as Urban Residential.

HISTORY: The area to the west was changed from A-1 Single Family Dwelling District to R-1 Residential during the 1979 Zoning Update. The eastern area was changed from A-A Rural and Public Use to R-3 Residential at the same time.

ANALYSIS:

1. This change of zone request is to bring the zoning district boundaries into alignment with proposed platting of the abutting lots.
2. **Section 27.05.030(b) - Rules Where Uncertainty as to Boundaries Arises** of *The Zoning Ordinance* states:

“Where the property has been or may hereafter be divided into blocks and platted lots, the district boundaries shall be construed to coincide with the nearest platted lot lines; and where the district designated in the district map made a part of this title by reference are bounded approximately by platted lot lines, the platted lot line shall be construed to be the boundary of the district.”

3. This change will allow the subdivision of the two lots on either side of the proposed change through the administrative final plat of Edenton North 8th Addition and will align the district boundaries with the proposed lot lines.

STAFF RECOMMENDATION:

Approval

Prepared by:

Richard A. Houck, AICP
Planner II
Planning Department

CHANGE OF ZONE NO. 3287

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 1, 2000

Members present: Bayer, Carlson, Krieser, Newman, Taylor, Schwinn and Steward; Duvall and Hunter absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3204; CHANGE OF ZONE NO. 3287; COUNTY SPECIAL PERMIT NO. 183 AND SPECIAL PERMIT NO. 1870, STEVENS CREEK RIDGE COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 00025, STEVENS CREEK RIDGE; COMPREHENSIVE PLAN CONFORMANCE NO. 00008, STREET & ALLEY VACATION NO. 00020 AND MISCELLANEOUS NO. 00009.**

Item No. 1.3a, County Special Permit No. 183; Item No. 1.3b, Special Permit No. 1870 and Item No. 1.3c, Preliminary Plat No. 00025, were removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Steward.

Newman moved to approve the remaining Consent Agenda, seconded by Schwinn and carried 7-0: Bayer, Carlson, Krieser, Newman, Taylor, Schwinn and Steward voting 'yes'; Duvall and Hunter absent.

Note: This is final action on Comprehensive Plan Conformance No. 00008, for a permanent conservation easement over approximately 0.10 acres of floodplain on property generally located at South 6th and H Streets.